

JAP:ALC

M-09-1214

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

MIGUEL ROQUI-ZULEMA,
also known as
"Miguil Roqui" and
"Alex Julema,"

Defendant.

- - - - - X

EASTERN DISTRICT OF NEW YORK, SS:

ANTOINETTE GUZMAN, being duly sworn, deposes and states that she is a Deportation Officer with United States Immigration and Customs Enforcement, Department of Homeland Security, duly appointed according to law and acting as such.

On or about March 15, 2009, within the Eastern District of New York, the defendant MIGUEL ROQUI-ZULEMA, also known as "Miguil Roqui" and "Alex Julema," being an alien who had previously been arrested and convicted of a felony, and was thereafter excluded and removed from the United States, and who had not made a re-application for admission to the United States to which the Secretary of the Department of Homeland Security, successor to the Attorney General of the United States, had expressly consented, was found in the United States.

COMPLAINT AND
AFFIDAVIT IN SUPPORT
OF APPLICATION FOR
ARREST WARRANT

(T. 8, U.S.C.,
§§ 1326(a) and
1326(b)(1))

(Title 8, United States Code, Sections 1326(a) and 1326(b)(1)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Deportation Officer with ICE and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the ICE investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about March 15, 2009, the defendant, MIGUEL ROQUI-ZULEMA, also known as "Miguil Roqui" and "Alex Julema," was arrested by the New York City Police Department ("NYPD"), 115th Precinct, in Queens, New York. ROQUI-ZULEMA was arrested for Robbery in the Second Degree, in violation of Section 160.10(01) of the New York State Penal Law and Criminal Possession of Stolen Property in the Fifth Degree, in violation of Section 165.40 of the New York State Penal Law. The defendant used the name "Alex Julema" in connection with his arrest.

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all of the relevant facts and circumstances of which I am aware.

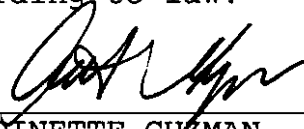
3. The District Attorney notified ICE, and ICE officials determined that on or about August 16, 2007, the defendant, MIGUEL ROQUI-ZULEMA, also known as "Miguil Roqui" and "Alex Julema," had been convicted of Attempted Burglary in the Second Degree, in violation of Section 110-140.25 subsection 2 of the New York Penal Law, a felony offense. The defendant had used the name "Miguil Roqui" in connection with this arrest.

4. A criminal history report revealed that the defendant, a citizen of Ecuador, had been previously removed from the United States on February 22, 2008, pursuant to an Order of Removal dated June 14, 2007.

5. An ICE official with fingerprint analysis training compared the fingerprints taken in connection with the defendant's arrest underlying his August 16, 2007, conviction; the fingerprints taken in connection with the defendant's February 22, 2008, removal; and the fingerprints taken in connection with the defendant's March 15, 2009, arrest, and determined that all three sets of fingerprints were made by the same individual.

6. A search of ICE records has revealed that there exists no request by the defendant for permission from either the United States Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after removal.

WHEREFORE, your deponent respectfully requests that the defendant MIGUEL ROQUI-ZULEMA, also known as "Miguil Roqui" and "Alex Julema," be dealt with according to law.



ANTOINETTE GUZMAN
Deportation Officer
United States Immigration and
Customs Enforcement

Sworn to before me this
10th day of December, 2009



UNITED STATES
EASTERN DISTRICT OF NEW YORK

S/POLLAK

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